

## REMARKS

### Status of claims

- Prior to the present amendments claims 29, 31, 38 – 40, 42 – 47, 49, 50 and 57 – 67 were pending of which 29 and 57 – 59 are independent.
- Now independent claims 29 and 57 – 59 are amended.
- The dependent claims remain unchanged.

To more clearly distinguish the present invention from all cited references and prior art, independent claims 29, 57 - 59 have been reformulated and amended.

The prior independent claim 29 has been split into:

- new amended claim 29 referring to "a method for the initialization of mobile data carriers (IM)"
- and claim 59 referring to "a method for the initialization of decentralized read and write stations (WR)".

### Amendments

All independent claims 29 and 57 – 59 are further defined and amended by the following new expressions:

- "to a decentralized authorized read and write station (A-WR) in an unsecured environment (u)" (this is described in Fig. 1 and 3)
- "said initialization data (DI) comprising authorization information (A-I) and initialization information (I-I), being application-specific or system-specific and being used to initialize a new data carrier, a new application (App3) or an extension of an application (App2.2)"

(This is described e.g. for Fig. 1 – 3, 4,5 and this new feature is also based on present claims 38 - 40

which are considered to be allowable subject matter if rewritten in an independent form.)

Accordingly the new amended independent claims should be allowable.

### **The present invention**

The present invention is directed to a method to initialize mobile data carriers or decentralized read and write stations which are in an unsecure environment (paragraph [0010], line 6ff).

The system according to the present inventions mainly consists of two sub-system interconnected by the network (Figs. 1 to 6 and 8 to 10):

- a) a first sub-system in a secure environment (g) comprising an authorization authority (HA) and authorization means (AM) to generate initialization data (DI, A-I, I-I)
- b) a second sub-system in an unsecured environment (u) comprising either
  - a decentralized authorized read and write station (A-WR) used to initialize mobile data carriers (IM) with the initialization data (DI) (claim 29) or
  - a decentralized read and write station (WR) to be initialized itself (WRk) with the initialization data (DI) (claim 59).

This is described in the original application published at US 2003/0033527 A1 in paragraphs [0002], [0005], [0008] - [0010] and [0027], [0028], [0036], [0038], [0039], [0062], [0063].

The initialization process is extensively explained in the examples and for the figures of the description.

### **Cited reference Ljungstroem (US 7,248,886 B1)**

Ljungstroem refers to a private cordless communication system that is compatible with a public mobile communication system (column 1, lines 7 – 20; column 1, lines 62 – 65).

The invention consists basically in that the base station 1 (HBS) of a private cordless communication

system is equipped with a suitable read/write device by means of which information can be read from or written to conventional identification modules, thereby putting the base station 1 in a position to take over the functions of a base station 4 (BTS) of a public mobile communication system with authentication functions. Finally this permits every authorized mobile terminal 3 (e.g. a mobile telephone) to log in with the base station 1 of the private cordless communication system with the aim to communicate via the fixed network 2, 9, instead of via the public mobile communication network (column 2, lines 23 – 38, Fig. 1).

A further specific aspect is that the base station 1 transmits periodically a specific ID for authentication and initialization between the base station 1 and the mobile terminal 3 to enable the mobile terminal 3 to log into the base station 1 (column 4, line 63 – column 5, line 10).

### **Differences between reference Ljungstroem and present invention**

The goals of the reference Ljungstroem is entirely different as compared to the goals of the present invention.

Contrary to the present invention, Ljungstroem does not disclose a system comprising two sub-systems (a, b) interconnected by a network.

Furthermore, the term "initialization", as used in Ljungstroem, refers to the authentication and initialization process between the mobile terminal 3 and the base station 1 with regard to establishing (setting-up) the communication. The mobile terminal 3 is already an authorized mobile device, and the authentication/initialization cannot be used to initialize the mobile terminal 3 as such, e.g. to initialize (the mobile terminal with) an application.

Contrary to Ljungstroem, the term "initialization" used in the present invention refers to a basic initialization as such of the mobile data carrier or of the decentralized read and write station within the frame of the authorization system A, with the aim to initialize a new data carrier, a new application or an extension of an application. This initialization requires initialization data DI which comprise

authorization information A-I (defined within the authorization system A) and initialization information I-I.

### **To Claim Rejections – 35 USC 102**

The independent claims 29 and 57 - 59 are rejected as being anticipated by reference Ljungstroem (US 7,258,886). The examiner cites column 2, lines 23 to 41 and column 4, lines 63 – 67 and column 5, lines 1 - 15 to disclose the content of previous claim 29 and 57 – 59.

But in this passage nor in the entire description of Ljungstroem a method of initialization according to the new claims 29 and 59 is disclosed or indicated.

The underlined features of claims 29 and 59 are not disclosed in cited reference Ljungstroem:  
(claim 29)

A method for the secure initialization of mobile data carriers (IM) within the frame of an authorization system (A),

wherein initialization data (DI, A-I, I-I) are generated in an authorization process in a secure environment (g) at a remote authorization authority (HA) by means of authorization means (AM)

said initialization data (DI) comprising authorization information (A-I) and initialization information (I-I), being application-specific or system-specific and being used to initialize a new data carrier, a new application (App3) or an extension of an application (App2.2),

and said initialization data are sent over a network (N) in a secure communication according to security rules corresponding to the authorization system

to a decentralized authorized read and write station (A-WR) in an unsecured environment (u), where the mobile data carriers (IM) are initialized (IMi) with the initialization data (DI).

(Claim 59)

..... to a decentralized read and write station (WR) in an unsecured environment (u), by means of which said decentralized read and write station is initialized (WRk).

The cited reference Ljungstroem as well as the further cited prior art do not disclose the new and inventive method for initialization according to the features and limitations of present independent claims 29, 57, 58 and 59.

Also from a combination of these references there is no indication for these new features of the present invention.

Therefore the independent claims 29, 57, 58 and 59 should be allowable and with it also the depending claims.

Reconsideration is requested.

Respectfully submitted,

/s/

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